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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No. 3:20-cr-00211-JO

Plaintiff,

**UNOPPOSED MOTION TO
CONTINUE TRIAL DATE**

v.

CODY PORTER,

Defendant.

The defendant, Cody Porter, through counsel, Susan Russell, respectfully moves the Court to enter an order continuing the jury trial date in the above-captioned case for approximately 120 days (i.e., until January 26, 2020). Trial is currently scheduled for September 22, 2020. This constitutes Mr. Porter's first request to continue his trial date. The government, through Assistant U.S. Attorney Gary Sussman, does not oppose this continuance motion but was concerned that a 90-day continuance request would place

the trial date very close to the winter holidays. Accordingly, a 120-day continuance of the trial date is being requested.

A continuance of the trial date for at least 120 days is necessary to provide the defense with adequate time to conduct independent investigation, including witness interviews; to engage in plea negotiations; and to prepare, if necessary, for trial. The defense also requires additional time to complete research into possible defenses, to research and file appropriate legal motions, and to otherwise prepare for trial. Discovery in this case is ongoing.

Defense counsel has spoken with Mr. Porter, explained the bases for requesting a continuance, and the rights that he has under the Speedy Trial Act (18 U.S.C. § 3161(h)(7)(A)). Mr. Porter knowingly and voluntarily waives his rights under the Speedy Trial Act. He respectfully requests that the Court continue his trial date for at least 120 days.

RESPECTFULLY submitted this 14th day of September, 2020.

/s/ Susan Russell
Susan Russell
Assistant Federal Public Defender